

**PORT OF NEWPORT
MINUTES
December 28, 2012
Combined Work Session & Regular Meeting**

I. CALL TO ORDER

Commission Vice-President David Jincks called the combined work session and regular meeting of the Port of Newport Board of Commissioners to order on Friday, December 28, 2012 at 12:00 p.m. in the South Beach Marina Activities Room, 2120 SE Marine Science Drive, Newport, OR, the same being within the boundaries of the Port District.

Commissioners Present: Walter Chuck, Secretary; David Jincks, Vice-President; Don Mathews, Treasurer.

Commissioner Excused: JoAnn Barton, President; Dean Fleck, Assistant Secretary-Treasurer.

Port of Newport Management and Staff: Don Mann, General Manager; Pat Albaugh, Director of Finance; Rick Fuller, NOAA Facilities Manager; Patty Benjamin, Administrative Assistant.

Others Present: Frank Berg, Day CPM; Tracy Burchett, Yale Fogarty, Pat Ruddiman, ILWU Local 53; Pete Gintner and Lonn Johnston, Port Legal Counsel; Mark Miranda, Newport Police Chief; Bob Ward, Newport Sea Lion Dock Foundation.

II. MINUTES

- A. **Work Session—November 27, 2012**
- B. **Regular Meeting—November 27, 2012**
- C. **Work Session—December 5, 2012**
- D. **Work Session—December 12, 2012**

Commissioner Chuck moved to approve the minutes of the Work Session and Regular Meeting of November 27, 2012, and the Work Sessions of December 5, 2012 and December 12, 2012 as submitted. Commissioner Mathews seconded the motion and it passed 3-0.

III. FINANCIAL STATEMENTS

- A. **Financial Reports.**
- B. **Accounts Paid.**

Finance Director Pat Albaugh noted that staff is working with the Port's insurance broker on policy renewals. He also said he would know in a couple of months if a supplemental budget might be necessary related to additional financing for the terminal project and NOAA construction closeout expenses. In answer to a question from Commissioner Chuck, Albaugh said he hoped to start using the new computer system at both marinas next week.

Commissioner Mathews moved, Commissioner Chuck seconded, to approve the Financial Statements and Accounts Paid, Check Nos. 11659-11666/Construction Fund; Check Nos. 11849-1884/NOAA Checking-OCB; and Check Nos. 334989-33615/Operating Account. The motion passed 3-0.

IV. PUBLIC COMMENT

Police Chief Mark Miranda said he had put in a request up the chain of command for more street lights and power poles up the Bay Road. The General Manager asked Miranda if he would be willing to sit in on discussions regarding an overall security plan for the terminal, and Miranda said he would.

V. STAFF REPORTS (* Indicates no questions or comments.)

- A. **Department Reports.**

- Kevin Bryant, Commercial Marina Harbormaster*
- Pete Dale, Project Manager—Pete Dale was on vacation and not present for the meeting
- Rick Fuller, NOAA Facilities Manager*
- Maureen Keeler, Special Projects Manager—Maureen Keeler was on vacation and not present for the meeting.
- Gina Nielsen, RV-Marina Office Supervisor*
- Chris Urbach, South Beach Marina Harbormaster*

B. General Manager.

General Manager Don Mann had distributed draft copies of an “updates and Issues” list, a proposed site plan, and a proposed project schedule for replacement of the “sea lion docks” that he had received from Stan Pickens. He said he had told Pickens that engineered drawings would be required, and Commissioner Jincks said he wanted to be sure the Foundation understood that no work could proceed without commission approval. He added that the isolation cage should be kept away from the dock unless it is needed. Mann will continue discussions with the Newport Sea Lion Dock Foundation.

Mann had been working with attorneys Pete Gintner and Lonn Johnston on a new facilities ordinance code, and said the document was close to a final draft. He said the draft code had been distributed to the commissioners, Port management, and to several members of the public for review, and it would also be posted on the Port’s website. Attorney Johnston described the steps that would have to be taken before the commission could formally adopt the code, and said a final draft of the document would be presented at the next regular commission meeting. He added that small changes and amendments could be made to the facilities code during the public comment period, without having to restart the process. An effective date would be set for 90 – 120 days out, after the process started. The General Manager said he would send out e-mails to the commissioners, reminding them to get their suggested changes and comments to him by January 15, 2013, and he would forward them to Johnston and Gintner.

The General Manager and Finance Director are working with David Ulbricht, of Baird & Co., on refinancing the Port’s debt. The potential savings could be upwards of \$500,000 over the long term.

The General Manager noted some of the meetings he had attended recently, including the Ports Legislative Summit. He had also testified before the Oregon Transportation Commission in support of completing the Highway 20 project.

C. Commissioners’ Reports.

There were no commissioners’ reports.

VI. OLD BUSINESS

A. Terminal Renovation Project.

Frank Berg, Project Manager, Day CPM Services, provided an update on the Terminal Renovation Project. He said the total credit for steel recycling was \$827,137, which was \$507,137 over the estimate. No shipments of scrap steel had taken place over the past month but crushing and sorting for fill material would occur during the coming month so more scrap would come out at that point. He said Central Lincoln PUD had pulled power to the transformer vault. Piling for the new moorage dolphin had been driven and pull tested and was found to meet the design capacities. Ro-ro dock modifications are underway, and formwork and reinforcing steel was started for the retaining wall along the starboard side of the Hennebique. DEQ had issued a “No Further Action” letter on December 11, 2012 in response to the final environmental report on the project. He said DSL’s public comment period on the proposed changes to the Joint Permit had passed and the comments were addressed. The Army Corps of Engineers has indicated that they may require a public comment period based on the three issues, including maintenance dredging and clam habitat, but have not said when that would be. Berg showed a series of slides of the project, including aerial photographs of the project.

B. Port Ordinance

The Port Ordinance had been discussed during the General Manager's oral report.

VII. NEW BUSINESS

A. Cascades West Area Commission on Transportation Nomination of Members.

The term of the Port of Newport's primary and alternate CWACT representatives would expire on December 31, 2013. The primary representative must be an elected official.

Commissioner Chuck nominated Commissioner Don Mathews as the primary representative and Mathews agreed to serve. Special Projects Manager Maureen Keeler was appointed as alternate representative.

VII. MEETING RECESS at discretion of the chair.

There was no meeting recess.

IX. OTHER

Commissioner Jincks noted that the noon work sessions were initiated so that Port staff and commission could focus on the new facilities code. Since that project was nearing completion, he suggested going back to a combined work session and regular meeting once a month, in the evening. He said he would leave the decision to the General Manager and staff.

X. PUBLIC COMMENT

There was no public comment.

XI. UPCOMING MEETINGS/EVENTS

- A. New Year's Day, January 1, Port Office Closed
- B. Fishermen's Forum, Port Operations Shop, January 9, 8:30 – 9:30 a.m.
- C. Marina Users Meeting, South Beach Marina, January 16, 8:30-9:30 AM
- D. Work Session, South Beach Marina Activities Room, January 22, Time to be Determined
- E. Regular Meeting, South Beach Marina Activities Room, January 22, 6:00 p.m.

XII. ADJOURNMENT

There being nothing more to come before the Board of Commissioners, the meeting was adjourned at 12:45 p.m.

ATTEST:

JoAnn Barton, President

Walter Chuck, Secretary